

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

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UNITED STATES OF AMERICA,

Plaintiff,

v.

Joaquin TADEO-Salomon,

Defendant

Magistrate Docket No.

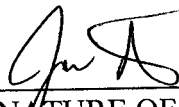
08 MJ 0889

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIABY: COMPLAINT FOR VIOLATION OF:Title 8, U.S.C., Section 1326
Deported Alien Found in the
United States

The undersigned complainant, being duly sworn, states:

On or about **March 19, 2008** within the Southern District of California, defendant, **Joaquin TADEO-Salomon**, an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.


 SIGNATURE OF COMPLAINANT
 James Trombley
 Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 21st DAY OF MARCH 2008


 Leo S. Papas
 UNITED STATES MAGISTRATE JUDGE

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CONTINUATION OF COMPLAINT:
Joaquin TADEO-Salomon

PROBABLE CAUSE STATEMENT

On March 19, 2008, at approximately 7:30 p.m., Border Patrol Agent C. Hill was performing assigned Border Patrol duties in the Campo Border Patrol Station's area of responsibility. Agent Hill responded to a sensor activation in an area known as "Smith Canyon." Agent Hill followed the footprints and encountered thirteen individuals attempting to conceal themselves in thick brush. This area is approximately ten miles east of the Tecate, California Port of Entry and five miles north of the United States/Mexico International Boundary. Agent Hill identified himself as a United States Border Patrol Agent and questioned each individual as to their citizenship. All thirteen, including one later identified as the defendant **Joaquin TADEO-Salomon**, admitted to being Mexican citizens and having entered the United States illegally without any immigration or travel documents that would allow them to be in or remain in the United States. Agent Hill placed all the individuals under arrest and had them transported to the Campo Border Patrol Station for processing.

Routine record checks of the defendant revealed an immigration history. The defendant's record was determined by a comparison of his immigration record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to **Mexico on December 29, 2007 through San Ysidro, California**. These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.

The defendant was advised of his Miranda rights. The defendant stated that he understood his rights and was willing to answer questions without an attorney present. The defendant admitted that he is a citizen and national of Mexico illegally present in the United States. The defendant further admitted that he had been previously deported from the United States and has not applied or requested permission to re-enter the United States legally.